

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:04cv278**

MARK DAUGHERTY,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
FOOD LION, LLC,)	
)	
Defendant.)	
)	

THIS MATTER is before the court on plaintiff's Motion to Modify Pretrial Order and Case Management Plan. Having considered plaintiff's motion and reviewed the pleadings, and finding that such extension is based on the neglect of counsel for plaintiff, but that such neglect is excusable, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Motion to Modify Pretrial Order and Case Management Plan (#14) is **GRANTED**, and plaintiff is allowed up to and inclusive of June 24, 2005, to designate any expert and provide the required report; defendant is allowed up to and inclusive of July 22, 2005, to so designate its experts and provide the required report; and any rebuttal experts shall be designated and a report submitted not later than August 5, 2005.

Signed: June 10, 2005

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

